

## NAGPRA at 20



CONVERSATIONS ABOUT  
THE PAST, PRESENT, AND FUTURE OF NAGPRA

# Schedule

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## Monday, November 15, 2010

Time	Session Title	Location
8:30 – 9:00	Welcome	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
9:00 – 10:00	The Beginning: Remembering our Past	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
10:00 – 10:15	Break	
10:15 – 11:45	NAGPRA's Impacts on Communities: Does Repatriation Heal?	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
11:45 – 1:00	Lunch on Your Own	
1:00 – 2:15	Native American and Federal Agencies NAGPRA Experiences	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
	The NMAI Act and NAGPRA	South Interior Auditorium, DOI 1951 Constitution Avenue NW
	NAGPRA in the Courts	Yates Auditorium Stewart Lee Udall Interior Building, DOI 1849 C Street NW
2:15 – 2:45	Break	
2:45 – 4:00	Consultation Matters: Past, Present and Future	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
	Graves Protection and NAGPRA	South Interior Auditorium, DOI 1951 Constitution Avenue NW
	Implementing New NAGPRA Regulations: CUI Rule	Yates Auditorium Stewart Lee Udall Interior Building, DOI 1849 C Street NW
4:00 – 4:30	Break	
4:30 – 5:15	Reflections and Closing	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW

## NAGPRA at 20



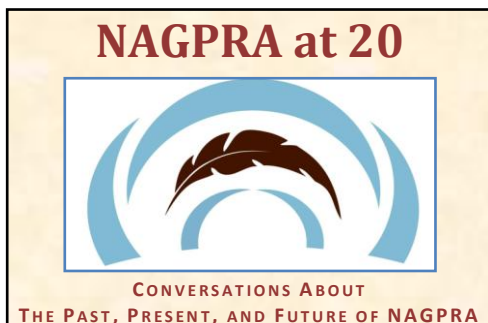
CONVERSATIONS ABOUT  
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## Tuesday, November 16, 2010

Time	Session Title	Location
8:30 – 9:00	Welcome	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
9:00 – 10:30	Science as Lines of Evidence	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
10:30 – 10:45	Break	
10:45 – 12:15	Traditional Knowledge as Evidence	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
12:15 – 1:30	Lunch on Your Own	
1:30 – 3:00	Strengthening the Purpose of NAGPRA: Exploring Ways to Increase Accountability	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
3:00 – 3:15	Break	
3:15 – 3:30	Acknowledgements	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
3:30 – 5:00	The Future of NAGPRA	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW
5:00 – 5:30	Closing	Jack Morton Auditorium 805 21 <sup>st</sup> Street NW



## Session Information

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THE SYMPOSIUM WILL TAKE PLACE AT THE LOCATIONS LISTED BELOW. EACH IS LOCATED IN WASHINGTON, DC WITHIN WALKING DISTANCE OF ONE ANOTHER. FOR ASSISTANCE IN FINDING EACH LOCATION, CONSULT THE MAP PROVIDED IN YOUR PACKET OR ASK A SYMPOSIUM VOLUNTEER.

**Jack Morton Auditorium:** George Washington University Campus, 805 21<sup>st</sup> Street NW.

**Yates Auditorium:** Stewart Lee Udall Interior Building, 1849 C Street NW.

**South Interior Auditorium:** South Interior Building, 1951 Constitution Avenue NW.

### Vision Statement of Planning Committee:

Enacted in 1990, the Native American Graves Protection and Repatriation Act (NAGPRA) was the culmination of a long term struggle for human rights and equal protection for American Indian peoples. NAGPRA at 20: Conversations About the Past, Present and Future of NAGPRA, is a forum to remember the past and why NAGPRA was created, to discuss present-day best practices and challenges, and to plan for the future of NAGPRA.

As we mark the 20th anniversary of the passage of the law, we aim for the symposium to be a forum to critically assess and evaluate the first two decades of implementation through case studies, workshops and featured speakers. The intent is to allow for open dialogue about what has and has not worked. The goal of the symposium is to work toward a shared vision for tribes, museums, Federal agencies and the National NAGPRA program on the direction NAGPRA should take for the next ten or twenty years. The hope is to address the wounds of the past and look toward a more just future.

## Monday, November 15, 2010

### The Beginning: Remembering our Past

**LOCATION:** Jack Morton Auditorium

**TIME:** 9:00 - 10:00 am

**CHAIR:** Shannon Keller O'Loughlin, Choctaw Nation of Oklahoma (*Indian Nations Legal Counsel and Consultant*)

**SPEAKERS:** David Hurst Thomas (*Curator of North American Archaeology, American Museum of Natural History*); Suzan Shown Harjo, Cheyenne & Hodulgee Muscogee (*President, The Morning Star Institute*)

**DESCRIPTION:** NAGPRA was the result of many voices coming together to address historic injustices against American Indian and Native Hawaiian peoples. This session will examine the history and heroes of the decades-long effort to achieve NAGPRA. The presenters look at the power of the law to help address violations of human rights against Native nations, communities, individuals, ancestors, and culture. They also discuss how NAGPRA can assist museums in confronting their often-colonial history, developing practices more consistent with 21st century ethics, and defining new avenues for producing legitimate knowledge within a framework of collaboration and mutual respect.

## NAGPRA's Impacts on Communities: Does Repatriation Heal?

**LOCATION:** Jack Morton Auditorium

**TIME:** 10:15 – 11:45 am

**CHAIR:** Chip Colwell-Chanthaphonh (*Curator of Anthropology, Denver Museum of Nature & Science*)

**SPEAKERS:** Bridget Ambler (*Curator, Colorado Historical Society*); Lalo Franco, Tachi Yokut Tribe (*Cultural and Historic Preservation Director, Tachi Yokut Tribe*); Sheila Goff (*NAGPRA Liaison, Colorado Historical Society*); Eric Hemenway, Little Traverse Bay Bands of Odawa Indians (*Research/Repatriation Assistant, Little Traverse Bay Bands of Odawa Indians*); Terry Knight, Ute Mountain Ute Tribe (*Cultural Resources Director, Ute Mountain Ute Tribe*); Marilyn Merdzinski (*Director of Collections and Preservation, Grand Rapids Public Museum*); Eric Singleton (*Assistant Curator of Anthropology, University of Tulsa Gilcrease Museum*)

**DESCRIPTION:** Much emphasis is given to NAGPRA's legal interpretation and implementation, but repatriation has social, political, and spiritual impacts that go far beyond the law. This session will examine these impacts: What happens after cultural items and human remains are returned to tribes? What are the repercussions of having long-removed ancestors and sacred items back in a tribe's community? How does this process of return impact museums? Does repatriation lead to "healing"? What is still getting in the way of healing the wounds of history?

## Native American and Federal Agency NAGPRA Experiences

**LOCATION:** Jack Morton Auditorium

**TIME:** 1:00 - 2:15 pm

**CHAIR:** Fred York (*Regional Anthropologist, National Park Service, Pacific West Region*)

**SPEAKERS:** Wayna Adams (*Forest Archaeologist, Daniel Boone National Forest*); Nick Angeloff, Bear River Band of Rohnerville Rancheria (*Tribal Historic Preservation Officer and NAGPRA Coordinator, Bear River Band of Rohnerville Rancheria*); Dave Burlingame (*Cultural Resources Director, Cowlitz Indian Tribe*); Angela Neller (*Curator, Wanapum Heritage Center Curator*); Jennifer Richman (*Attorney, US Army Corps of Engineers*); Lisa Stopp, United Keetoowah Band of Cherokee Indians (*Acting Tribal Historic Preservation Officer, United Keetoowah Band of Cherokee Indians*); Melissa Twaroski (*Regional Archaeologist and Heritage Program Manager, US Forest Service, Southern Region*); Nick Tipon, Federated Indian Tribes of Graton Rancheria (*Chairperson of the Sacred Sites Protection Committee, Federated Indians of Graton Rancheria*)

**DESCRIPTION:** This session will explore the best practices utilized by Native Americans and Federal agencies in working together at each stage of the NAGPRA process concerning collections, inadvertent discoveries, and intentional excavations. Participants will relate past, present and on-going experiences, such as integrating NAGPRA, NEPA, and NHPA Section 106 consultations; Native American involvement in land management decision-making; repatriation of collections; disposition of new collections; reburial on Federal lands; and Native American involvement in site protection and access to reburial sites.

## The NMAI Act and NAGPRA

**LOCATION:** South Interior Auditorium

**TIME:** 1:00- 2:15 pm

**CHAIR:** Trish Capone (*Associate Curator, Peabody Museum of Archaeology and Ethnology*)

**SPEAKERS:** Bill Billeck (*Repatriation Office Program Manager, National Museum of Natural History*), Andrea Hunter, Osage Nation (*Historic Preservation Director, Osage Nation; Repatriation Review Committee Chair, National Museum of Natural History*); Terry Snowball, Comanche/Ft. Sill Apache (*Repatriation Coordinator, National Museum of the American Indian*); Jackie Swift, Wisconsin Ho-Chunk/Prairie Band Potawatomi (*Repatriation Manager, National Museum of the American Indian*)

**DESCRIPTION:** How does the NMAI Act differ from NAGPRA? Is there anything the practitioners of these two Acts can learn from each other? This session is a conversation with repatriation staff representatives from the NMAI and the NMNH on the status of their collections, repatriation policies and procedures.

## NAGPRA in the Courts

**LOCATION:** Yates Auditorium

**TIME:** 1:00 - 2:15 pm

**CHAIR:** Shannon Keller O'Loughlin, Choctaw Nation of Oklahoma (*Indian Nations Legal Counsel and Consultant*)

**SPEAKERS:** Brian Chestnut; LindaLee Farm (*Partner, Goodsill Anderson Quinn & Stifel*); Audie Huber, Quinault Indian Nation (*Intergovernmental Affairs Manager, Confederated Tribes of the Umatilla Indians*); Diane Humetewa, Hopi Tribe (*Of Counsel and Partner, Squire, Sanders & Dempsey L.L.P.*); Carla Mattix (*Attorney-Advisor, Office of the Solicitor, Department of the Interior*)

**DESCRIPTION:** This session will discuss how court cases have been used to further the purpose of NAGPRA as civil rights and human rights legislation, and the future of NAGPRA in the courts.

## Consultation Matters: Past, Present, and Future

**LOCATION:** Jack Morton Auditorium

**TIME:** 2:45 – 4:00 pm

**CHAIR:** Chip Colwell-Chanthaphonh (*Curator of Anthropology, Denver Museum of Nature & Science*)

**SPEAKERS:** Timothy Begay, Navajo; Dave Burlingame (*Cultural Resources Director, Cowlitz Indian Tribe*); Terry Cole, Choctaw Nation of Oklahoma (*Historic Preservation Director, Choctaw Nation of Oklahoma*); Priscilla Grew (*Director and NAGPRA Coordinator, University of Nebraska State Museum*); Kari Mans (*NAGPRA Coordinator, Autry Museum of Western Heritage*); Ramona Peters, Mashpee Wampanoag Tribe (*NAGPRA Director, Mashpee Wampanoag Tribe/ Confederation*); Robert Preucel (*Anthropology Department Chair; University of Pennsylvania*); Nick Tipon, Federated Indians of Graton Rancheria (*Chairperson of the Sacred Sites Protection Committee, Federated Indians of Graton Rancheria*)

**DESCRIPTION:** At the heart of NAGPRA lies the concept of "consultation," the equitable dialogue between tribes and museums and Federal agencies. What are some case studies that illustrate when consultation works, and when it hasn't? What are the key ideas and "best practices" for effective consultations? How should consultation be pursued for Federal agencies, which are obliged to consult with tribes through government-to-government relations? Has consultation, as it has been implemented

through NAGPRA, improved and bolstered tribal sovereignty? This session focuses on the development of consultation over the past two decades and how it can be improved for the decades to come.

## Graves Protection and NAGPRA

**LOCATION:** South Interior Auditorium

**TIME:** 2:45 – 4:00 pm

**CHAIR:** Eric Hemenway, Little Traverse Bay Bands of Odawa Indians (*Research/Repatriation Assistant, Little Traverse Bay Bands of Odawa Indians*)

**SPEAKERS:** Peter Jemison, Seneca Nation (*Ganondagan State Historic Site Manager*); Reid Nelson (*Director, Office of Federal Agency Programs, Advisory Council on Historic Preservation*); Frank Wozniak (*National NAGPRA Coordinator, USDA Forest Service*); Jenny Bone and Aileen Thomson (*State Burials Project, American University Washington College of Law*)

**DESCRIPTION:** Graves Protection under NAGPRA is the often overlooked and lesser known element of the law when compared to repatriation. This session will look at how graves protection is addressed under NAGPRA and examine what is, and is not, protected under the law. Guest speakers will discuss what other resources can be utilized to protect graves and burial sites when NAGPRA does not apply.

## Implementing New NAGPRA Regulations: CUI Rule

**LOCATION:** Yates Auditorium

**TIME:** 2:45 – 4:00 pm

**CHAIRS:** Shannon Keller O'Loughlin, Choctaw Nation of Oklahoma (*Indian Nations Legal Counsel and Consultant*); Jaime Lavallee, Muskeg Lake Cree Nation (*Notice Coordinator, National NAGPRA Program*)  
Joe Watkins, Choctaw Nation of Oklahoma (*Director, Native American Studies Program, University of Oklahoma*)

**SPEAKERS:** Jan Bernstein (*President, Bernstein & Associates NAGPRA Consultants*); Dave Ruppert (*Assistant Director, Office of Indian Affairs and American Culture, National Park Service*); Stephen Simpson (*Senior Attorney, Office of the Solicitor, Department of Interior*); Wendy G. Teeter (*Curator of Archaeology, Fowler Museum at UCLA*); Patricia Zuck, Agua Caliente Tribe (*Tribal Historic Preservation Officer, Agua Caliente Tribe*)

**DESCRIPTION:** The long-awaited rule on the implementation of culturally unidentifiable human remains has caused controversy and concern from different groups involved with repatriation. This break-out session will consist of a panel discussion and question and answer session with NAGPRA practitioners about the realities of implementing the CUI Rule.

## Reflection

**LOCATION:** Jack Morton Auditorium

**TIME:** 4:30 – 5:15pm

**CHAIR:** Joe Watkins, Choctaw Nation of Oklahoma (*Director, Native American Studies Program, University of Oklahoma*)

**DESCRIPTION:** This session brings participants back together as part of the first day's closing event. Chairs will report back on discussions carried out in each session as a means of summarizing important points for everyone. The day's events will be brought to a finish with a closing blessing.



# Tuesday, November 16, 2010

## Science as Line of Evidence

**LOCATION:** Jack Morton Auditorium, GW Campus

**TIME:** 9:00 – 10:30 am

**CHAIR:** Joe Watkins, Choctaw Nation of Oklahoma (*Director, Native American Studies Program, University of Oklahoma*)

**SPEAKERS:** Clayton Dumont, Klamath Tribes of Southern Oregon (*Professor of Sociology, San Francisco State University*); Alan Goodman (*Vice President of Academic Affairs/Dean of Faculty and Professor of Biological Anthropology, Hampshire College*); Lourdes Henebry-DeLeon (*Assistant Professor and NAGPRA Program Director, Department of Anthropology, Central Washington University*); Dorothy Lippert, Choctaw Nation (*Repatriation Case Officer, National Museum of Natural History*)

**DESCRIPTION:** Under NAGPRA, cultural affiliation is established when the preponderance of the evidence—based on geographical, kinship, biological, archeological, anthropological, linguistic, folklore, oral tradition, historical evidence, or other information or expert opinion—reasonably leads to such a conclusion. Of these, only geographical evidence and oral tradition are not tied to an academic field of science in one way or another. Does the reliance on the Western notion of science automatically disadvantage non-Western ways of knowing? In this session, panelists will offer their views on the interface between science and cultural affiliation studies. We welcome perspectives on whether science has been used to support or circumvent the mandates of NAGPRA, as well as perspectives on the benefits that may have accrued to science as a result of the NAGPRA process.

## Traditional Knowledge as Evidence

**LOCATION:** Jack Morton Auditorium

**TIME:** 10:45 am – 12:15 pm

**CHAIR:** Trish Capone (*Associate Curator, Peabody Museum of Archaeology and Ethnology*)

**SPEAKERS:** Rose Berens, Bois Forte Band of Chippewa (*Executive Director, Bois Forte Heritage Center*); Kathy Miller (*RECO Archaeologist, Bureau of Land Management*); Megon Noble (*Assistant Archaeology Collections Manager and NAGPRA Coordinator, Burke Museum of Natural History and Culture*); Vincent Randall, Yavapi-Apache (*Dilzhe'e Apache Cultural Preservation Officer, Yavapi-Apache Nation*)

**DESCRIPTION:** Native leaders and their allies fought hard to have Native ways of knowing placed on equal footing with other forms of "evidence" in the legal language of NAGPRA. This session will share examples of traditional knowledge as powerful lines of evidence and will reflect on whether "oral traditional" evidence receives consideration comparable with scientific ways of knowing in establishing cultural affiliation.

## Strengthening the Purpose of NAGPRA: Exploring Ways to Increase Accountability

**LOCATION:** Jack Morton Auditorium

**TIME:** 1:30 – 3:00 pm

**CHAIRS:** Shannon Keller O'Loughlin, Choctaw Nation of Oklahoma (*Indian Nations Legal Counsel and Consultant*) Joe Watkins, Choctaw Nation of Oklahoma (*Director, Native American Studies Program, University of Oklahoma*)

**SPEAKERS:** Thomas Killion (*Associate Professor of Archaeology, Wayne State University*), Margaret Bruchac, Abenaki Indian Tribe (*Coordinator of Native American and Indigenous Studies and Associate Professor of Anthropology, University of Connecticut*)

**DESCRIPTION:** This session will include panel discussion and open forum to identify problems with NAGPRA and to brainstorm ways to improve the process, whether through amendment to the law itself, modifications to the National NAGPRA Program, or development of guidance documents to assist with the implementation of NAGPRA.

## **The Future of NAGPRA**

**LOCATION:** Jack Morton Auditorium

**TIME:** 3:30 – 5:00 pm

**CHAIRS:** Shannon Keller O’Loughlin, Choctaw Nation of Oklahoma (*Indian Nations Legal Counsel and Consultant*); Joe Watkins, Choctaw Nation of Oklahoma (*Director, Native American Studies Program, University of Oklahoma*)

**SPEAKERS:** Sandra Dong (*Curatorial Assistant, Peabody Museum of Archaeology and Ethnology, Harvard University*); Walter Echo-Hawk, Pawnee (*Of Counsel, Crowe & Dunlevy*); Vernelda Grant, San Carlos Apache (*Director of Historic Preservation, San Carlos Apache*)

**DESCRIPTION:** This session will include a panel and guest speaker presentation looking forward to the next 20 years of NAGPRA.